

## Short-Term Rental Application

Subject Property Address: \_\_\_\_\_

Name of Property Owner: \_\_\_\_\_

Principal Operator of Short-term rental: \_\_\_\_\_  
(applicant name and role)

Mailing Address: \_\_\_\_\_ Email Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

Number of people currently living at the property: \_\_\_\_\_ Adults \_\_\_\_\_ Minors \_\_\_\_\_

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### REQUIRED APPLICATION SUBMISSION MATERIALS

- \_\_\_\_\_ Application fee in the amount of **\$200** payable by either check, cash or credit card;
- \_\_\_\_\_ **Two forms of identification** with address displayed to establish primary residency at the location of the proposed short-term rental. Acceptable forms include a government-issued ID, mortgage or lease documents, or other forms deemed appropriate by the zoning administrator;
- \_\_\_\_\_ Written authorization or signature from the property owner if the primary resident is not the property owner;
- \_\_\_\_\_ A site plan indicating the number and location of off-street parking spaces  
**NOTE:** A minimum of **TWO** parking spaces are required for any single family detached application **OR**  
A minimum of **ONE** parking space is required for a townhouse or condo application;
- \_\_\_\_\_ Proof of notification to the homeowners association or condo association of intention to operate a short-term rental, if applicable

### For Office Use Only

Received By:		
<input type="checkbox"/> Application Fee \$ _____		
Taxes Status: <input type="checkbox"/> Paid <input type="checkbox"/> Delinquent		
Tax Map Reference:		
Case #:	Zoning District:	

**SHORT-TERM RENTAL OPERATOR CERTIFICATION**

As an **OPERATOR**, my signature on this form certifies that I understand the requirements of the Short-Term Rental Permit, all information is true and accurate, and that I agree to the following:

1. To abide by the standards set forth in Section 78-80.4(u) and any other applicable requirements of the Zoning Ordinance and to any other applicable federal, state and local laws and regulations, whether related to the building in which the use is conducted or to the use itself.
2. That the dwelling will be open for inspection by Town personnel during reasonable hours and with reasonable notice.
3. That I acknowledge that the application property may be located within an area that is subject to additional restrictions pursuant to covenants, bylaws, regulations, or other limitations imposed pursuant to the Property Owners' Association Act, Condominium Act, or the Virginia Real Estate Cooperative Act. As such, I acknowledge that issuance of this Permit **DOES NOT** abrogate, nullify, override, or otherwise have any effect on the applicability of any such regulations, declarations, or limitations applicable to this property. Compliance with any such regulations, declarations, or limitations is the responsibility of the Operator/Owner.
4. File a monthly Transient Occupancy Tax (TOT) and remit the tax amount due to the Fairfax County Department of Tax Administration on or before the last day of the month following the reporting month. A monthly return must be filed even if no taxes are due.

I certify that I understand the requirements of the Short-Term Rental Permit and will comply with all limitations set forth in the Zoning Ordinance and any other applicable regulation, limitation, or requirement.

I affirm that I have the right to reserve the parking spaces indicated on my submitted plan.

\_\_\_\_\_  
Signature of Operator

\_\_\_\_\_  
Date

**PROPERTY OWNER CERTIFICATION (if applicable)**

I certify that I am the owner of the property identified on this application and I consent to the use of the property for Short-Term Lodging, as will be operated by the applicant identified herein. I acknowledge that any violation related to Short-Term Lodging is deemed to be a violation by both the Operator and the Owner.

\_\_\_\_\_  
Signature of Property Owner or Agent of Owner

\_\_\_\_\_  
Date

Apply in person or by mail to:                      Town of Herndon  
Department of Community Development  
777 Lynn Street  
Herndon, Virginia 20170  
Phone Number (703) 787-7380

Approval of your application is contingent upon the provision of all required information and is granted only to the Operator (Applicant) identified herein. Additional information may be requested to verify compliance with the short-term rental regulations. This Permit is not transferable to any other resident, address, or use of the property. Violation of any of these limitations may be cause for revocation of this approval.

This permit is NOT an authorization to create a second dwelling unit.

You may not convert basements or other non-traditional spaces to sleeping rooms unless those rooms comply with the most current building code. Converting a basement room to a bedroom, for example, minimally requires a second means of egress, such as an emergency egress window.

**The undersigned hereby applies for and requests approval of a Short-Term Rental under the provisions of § 78-80.4 (u) of the Herndon Town Code. I hereby affirm and certify that:**

- The information provided on this form is true and correct to the best of my knowledge.*
- The requirements associated with this application have been read and are understood.*
- The use and occupancy of buildings and/or the use of land noted above is proposed in conformance with all provisions of the Town of Herndon, Virginia Zoning Ordinance regulations to the best of my knowledge.*

Signature of Applicant

Date

ZONING ADMINISTRATOR APPROVAL:

SHORT-TERM LODGING PERMIT NUMBER:

ADDRESS VERIFICATION DOCUMENTS:

PERIOD OF VALIDITY:

**This Permit expires without notice at 11:59 p.m. on the last day of the period of validity.**

*This sheet is to be kept by the operator*

The following regulations govern the establishment and operation of a short-term rental use as an accessory use to the principal occupancy of a dwelling, pursuant to Article XIII of the Town of Herndon Zoning Ordinance:

A dwelling used for short-term rentals must:

- Be open, upon request, for inspection by Town personnel during reasonable hours.
- Comply with the requirements of the applicable version of the Virginia Uniform Statewide Building Code as determined by the Building Official.
- Have a working multi-purpose **fire extinguisher, interconnected smoke detectors and carbon monoxide detectors** (when required for a fireplace or gas service).
- Have **2 designated parking spaces** available for lodgers in every single family and **1 designated parking space** for every condo/townhouse.

A short-term rental operator must:

- Be a **permanent resident** of the property hosting the short-term rental.
- Obtain written consent from the owner of the property (signature on this form is acceptable) if the operator is not the owner of the property.

The short-term rental use is subject to the following use limitations:

- The **entire** dwelling may be used for short-term rental use for **no more than 90 nights** per calendar year. This limit does not apply for nights when the operator is present and renting out a portion of the dwelling.
- The maximum number of lodgers per night may **not exceed 6 adults, including permanent residents**, except where the Virginia Uniform Statewide Building Code requires fewer occupants.
- The maximum number of rental **contracts per night is one**. All lodgers occupying a short-term rental must be associated with the same rental contract.
- **Events and activities**—including luncheons, banquets, parties, weddings, meetings, fund raising, commercial or advertising activities, and any other gathering of persons other than the authorized lodgers, whether for direct or indirect compensation— **are prohibited during any short-term rental period**.
- All advertisements must include the **short-term rental permit number** and identify the location of the required parking space.
- **Transient Occupancy Tax** must be collected for each rental contract. Operators must file a monthly return and remit the transient occupancy tax due to the Department of Tax Administration on or before the last day of the month following the reporting month. A monthly return must be filed even if no taxes are due.
- A short-term rental is prohibited in a detached accessory structure, accessory dwelling unit, or temporary family health care structure.

The Zoning Administrator's issuance of a permit does not abrogate, nullify, or invalidate any other provision of federal, state, or local law; any restrictive covenant; or any property owners' association by-law